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6
7 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
8 STATE OF CALIFORNIA
9

10 In the Matter of

FPPC No.: 04/249

11
12 ROBERT J. MATKOVICH and
13 ROBERT J. MATKOVICH, D.D.S.,
14 Inc.,

STIPULATION, DECISION, and
ORDER

15 Respondents.
16

17 Complainant Michael B. Salerno, Executive Director of the Fair Political Practices Commission,
18 and Respondents Robert J. Matkovich and Robert J. Matkovich, D.D.S., Inc. agree that this stipulation
19 will be submitted for consideration by the Fair Political Practices Commission at its next regularly
20 scheduled meeting.

21 The parties agree to enter into this stipulation to resolve all factual and legal issues raised in
22 this matter and to reach a final disposition without the necessity of holding an administrative hearing
23 to determine the liability of Respondents.

24 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
25 rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Section 18361.1
26 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the
27 right to personally appear at any administrative hearing held in this matter, to be represented by an
28

1 attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the
2 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
3 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

4 It is further stipulated and agreed that Respondent Robert J. Matkovich, D.D.S., Inc. violated
5 the Political Reform Act by making campaign contributions in other than its legal name, in violation
6 of Government Code Section 84301 (7 counts); and that Respondent Robert J. Matkovich violated
7 the Political Reform Act by making campaign contributions in other than his legal name, in violation
8 of Government Code Section 84301 (14 counts), and violated the Political Reform Act by making a
9 contribution in the amount of \$100 or more in cash, in violation of Government Code Section 84300,
10 subdivision (a) (1 count), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by
11 reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in
12 this matter.

13 Respondents agree to the issuance of the decision and order, which is attached hereto.
14 Respondents also agree to the Commission imposing upon them an administrative penalty in the
15 amount of Ninety Nine Thousand Dollars (\$99,000). A cashier's check from Respondents in said
16 amount, made payable to the "General Fund of the State of California," is submitted with this
17 stipulation as full payment of the administrative penalty, to be held by the State of California until the
18 Commission issues its decision and order regarding this matter. The parties agree that in the event the
19 Commission refuses to accept this stipulation, it shall become null and void, and within fifteen (15)
20 business days after the Commission meeting at which the stipulation is rejected, all payments tendered
21 by Respondents in connection with this stipulation shall be reimbursed to Respondents. Respondents
22 further stipulate and agree that in the event the Commission rejects the stipulation, and a full
23 evidentiary hearing before the Commission becomes necessary, neither any member of the
24 Commission, nor the Executive Director, shall be disqualified because of prior consideration of this
25 stipulation.

26 Dated: _____

27 _____
28 Michael B. Salerno, Executive Director
Fair Political Practices Commission

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2
3 Dated: _____

Robert J. Matkovich, individually and on behalf of
Robert Matkovich, D.D.S., Inc., Respondents

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6 **DECISION AND ORDER**

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8 The foregoing stipulation of the parties “In the Matter of Robert J. Matkovich and Robert J.
9 Matkovich, D.D.S., Inc., FPPC No. 04/249,” including all attached exhibits, is hereby accepted as the
10 final decision and order of the Fair Political Practices Commission, effective upon execution below by
11 the Chairman.

12 IT IS SO ORDERED.

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14
15 Dated: _____

Ross Johnson, Chairman
Fair Political Practices Commission